UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,968	07/08/2003	David M. Bashant	END920000147US2	8800

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *23 May 2007*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-10* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-10* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Remarks

1.   In response to communications files on 23-May-2007. Therefore, claims 1-10 are

presently pending in the application.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-10 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of div application:

10/25/2000) as being unpatentable over Wu (U.S. patent 6,862,617) (Eff. Filing date of

application: 6/4/1999) in view of Bodnar et al. (U.S. patent 6,295,541) (Eff. Filing date of cont.

application: 8/18/1998).

As to claim 1, Wu teaches a system having a table of keys for synchronizing related data

elements between a first and second storage system (see col. 7, lines 1-10, table1), each key

comprising:

a universal identifier corresponding to a data element in the first and second storage

system (see col. 7, table 1 where "Universal identifier" is "volume ID" and col. 5, lines 10-21);

a first record identifier corresponding to the data element in the first storage system (see

col. 7, table 1 where "first record identifier" is "portable object ID" and col. 5, lines 22-25); and

a second record identifier corresponding to the data element stored in the second storage

system, wherein the universal identifier, the first record identifier and the second record

identifier are used to synchronize the data element between the first and second storage system

(see abstract; col. 7, table 1 where "second record identifier" is "desktop object ID"; and col. 5,

lines 22-25).

Wu does not teach wherein the table of key is separate from the first storage system and

the second storage system.

Bodnar et al. teaches system and methods for synchronizing two or more datasets (see

abstract), in which he teaches wherein the table of key is separate from the first storage system

and the second storage system (see abstract; figure 9A, character 908 and figs. 10A, 10B,

character 1008, where HUB is the GUB that is a table with pointer/key; and col. 4, lines 10-30).

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified Wu by the teaching of Bodnar et al., because wherein the

table of key is separate from the first storage system and the second storage system, would

enable the system because, "To achieve this, a reference dataset is used to store a super-set of

the latest or most-recent data from all user datasets to provide a repository of information

that is available at all times. Therefore, if the user later wishes to synchronize a new user

dataset, such as one in a server computer that stores user information, the system already has all

the information necessary for synchronizing the new dataset, regardless of whether any of the

other datasets are then available", (see Bodnar et al., abstract); and

"Another aspect of the present invention is that it preferably controls a reference dataset,

sometimes called the Grand Unification Database or GUD, to store a super-set of data from his

or her user datasets. In this way, the system of the present invention provides a repository of

information that is available at all times and does not require that any other user dataset be

connected", (see Bodnar et al., col. 4, lines 11-17).

As to claims 2-4, Wu as modified teaches wherein each key further comprises a data

element type name or system name (see Wu, col. 7 table 1; col. 5, lines 17-20; and col. 7, lines

18-21).

As to claim 5, Wu as modified teaches wherein each key further comprises storage

system information corresponding to storage of the data element in a particular storage system

(see Wu, col. 7 table 1 and col. 7, lines 18-21).

As to claim 6, Wu as modified teaches the claimed invention of table interface and

updating the keys (see Wu, col. 7, lines 20-28).

As to claim 7, Wu as modified teaches wherein the table interface includes: an identifier

matching system for cross-referencing record identifiers and universal identifier (see Wu, col. 5,

lines 25-27); and

a table update system is described in (see Wu, col. 7, lines 10-30).

As to claim 8, Wu as modified teaches the claimed invention of accessing information

from particular storage as shown in (see Wu, col. 7, lines 17-20).

As to claim 9, Wu as modified teaches wherein the first storage system is designed to store first data related to the data element, and wherein the first storage system is designed to store second data related to the data element, and wherein the first data is designed to be different from the second data (see Wu, abstract and fig. 1).

As to claim 10, Wu as modified wherein the first and second storage system do not separately maintain information for synchronizing the first and second storages system with each other (see Wu, col. 7, table 1).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on moday-friday 9am-5pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bmo

CHARLES RONES
SUPERVISORY PATENT EXAMINER

August 6, 2007